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Attorneys for Plaintiff  
 United States of America

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	Civil No. 08cv0074-IEG(NLS)
	)	
Plaintiff,	)	DECLARATION OF AND
	)	REQUEST FOR CLERK'S
v.	)	ENTRY OF DEFAULT AS
	)	TO ALL POTENTIAL
\$23,120.00 IN US CURRENCY,	)	CLAIMANTS <u>EXCEPT</u> ELISEO
	)	JIMENEZ AND MELISSA
ONE 2007 CHEVROLET AVALANCHE	)	ARCHAMBAULT
TRUCK, CA LICENSE NO. 8E38789,	)	
VIN 3GNEC12J17G138443, ITS TOOLS	)	
AND APPURTENANCES,	)	
	)	
ONE 2003 AUDI QUATTRO SEDAN,	)	
CA LICENSE NO. 5LKB440,	)	
VIN WAULC68E73A197008, ITS TOOLS	)	
AND APPURTENANCES,	)	
	)	
\$1,200.00 IN U.S. CURRENCY,	)	
	)	
Defendants.	)	

I, David M. McNees, Special Assistant United States Attorney for the Southern District of California, hereby request a clerk's entry of default in this case for the following reasons:

On January 14, 2008, a verified complaint was filed in the above action in the United States District Court for the Southern District of California against the above-named defendant properties. On January 17, 2008, the defendants were seized and arrested by a duly authorized United States Marshal, who thereafter took possession and custody of the defendants, pursuant to the Court's Order appointing the United States Marshal as custodian, dated January 16, 2008.

On January 16, 2008, Notice of Judicial Forfeiture Proceedings and a copy of the Complaint for Forfeiture were sent by certified mail to the following potential claimants at their addresses of record:

<u>Name and Address</u>	<u>Article No.</u>	<u>Result</u>
Eliseo Jimenez Melissa Archambault c/o Richard M. Barnett Attorney at Law 105 West F Street, 4th Floor San Diego CA 92101	7004 2510 0003 3017 3772	Signed for as received on 1/17/08.
Jesus Antonio Morga 5444 Albright Street Oceanside CA 92057-5501	7004 2510 0003 3017 3765	Returned by the Post Office on 2/13/08 marked "Unclaimed."

On January 25, February 1 and February 8, 2008, pursuant to Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, notice was published in the San Diego Commerce newspaper.

On February 15, 2008, Eliseo Jimenez and Melissa Archambault and filed claims to one or more of the defendant properties, and on March 3, 2008, both of these claimants filed answers to the Complaint for Forfeiture.

From the time of said notice, no claim or answer has been filed regarding the above-named defendant properties by anyone except Eliseo Jimenez and Melissa Archambault.

For the foregoing reasons, it is requested that the Clerk of the Court enter a default against the defendant properties as to any and all potential claimants except Eliseo Jimenez and Melissa Archambault.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 18th day of March, 2008.

s/ David M. McNees  
DAVID M. McNEES  
Special Assistant U.S. Attorney  
Attorneys for Plaintiff  
United States of America  
E-mail: [david.mcnees@usdoj.gov](mailto:david.mcnees@usdoj.gov)

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	Case No. 08cv0074-IEG(NLS)
	)	
Plaintiff,	)	CERTIFICATE OF
	)	SERVICE
v.	)	
	)	
\$23,120.00 IN US CURRENCY,	)	
	)	
ONE 2007 CHEVROLET AVALANCHE	)	
TRUCK, CA LICENSE NO. 8E38789,	)	
VIN 3GNEC12J17G138443, ITS TOOLS	)	
AND APPURTENANCES,	)	
	)	
ONE 2003 AUDI QUATTRO SEDAN,	)	
CA LICENSE NO. 5LKB440,	)	
VIN WAULC68E73A197008, ITS TOOLS	)	
AND APPURTENANCES,	)	
	)	
\$1,200.00 IN U.S. CURRENCY,	)	
	)	
Defendants.	)	
	)	

IT IS HEREBY CERTIFIED that:

I, David M. McNees, am a citizen of the United States and am at least eighteen years of age.  
My business address is 880 Front Street, Room 6293, San Diego, CA 92101-8893.

I am not a party to the above-entitled action. I have caused service of DECLARATION OF  
AND REQUEST FOR CLERK'S ENTRY OF DEFAULT AS TO ALL POTENTIAL  
CLAIMANTS EXCEPT ELISEO JIMENEZ AND MELISSA ARCHAMBAULT on the following  
parties by electronically filing the foregoing with the Clerk of the District Court using its ECF  
System, which electronically notifies them:

1. Richard M. Barnett, Esq.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 18, 2008.

s/ David M. McNees  
DAVID M. McNEES